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Developing Moral Sport Policies Through Act-Utilitarianism Based on Bentham's Hedonic Calculus

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Abstract

Moral policy can be developed and maintained in sport organizations through an approach that incorporates act-utilitarianism (AU) based on Jeremy Bentham's hedonic calculus (HC). Sport managers' effective application of AU based on HC takes on the form of a holistic approach to moral policy development and maintenance and requires an understanding of the parts and process of a strict adherence to AU based on HC. The traits of common sense, habits, and past experience are supported by the utilitarian views held by Bentham and Mill to accurately predict happiness and unhappiness that result from actions (Beauchamp, 1982) and are also necessary to drive a holistic approach of AU based on HC that develops and maintains moral policy in sport organizations.

Key Words: *Ethics, Sport Governance, Utilitarianism.*

Sport managers are the point persons who must assume the challenge of establishing appropriate policies guiding their sport organizations. The greatest challenge, however, does not lie in merely establishing sport policies but rather in doing so morally. Given that sport policies help define and govern sport, if sport is to be moral, sport policies must be developed on a foundation of morality. Moral policies encourage moral actions, which ultimately support a moral sporting environment.

It is difficult to anticipate each and every potential for immoral actions in sport, which is why the development of sport policy often is reactive in nature. For example, when immoral acts are identified and determined to be unfit for the healthy existence of sport, policies and/or rules are created. To assure that sport remains morally grounded, policies governing sport require constant moral maintenance. Without the development and maintenance of morally grounded policies, sport runs the risk of losing the interest of those affiliated (the sporting community) with it, which over time will cause sport to falter.

Satisfying the Sporting Community

The sporting community – broadly defined as those involved in sport, including but not limited to players, family and friends of players, coaches, fans, athletic directors, and general managers – largely decides whether sport policies are moral. It can be argued that sport policies are considered morally grounded when the actions resulting from the policies satisfy most of the sporting community. Establishing and maintaining the well being of sport through effective moral policies is far from new. Sport has always required ongoing maintenance to retain the satisfaction of the sporting community.

Examples are many that have required the reexamination of sport policies to protect the moral core of organized sport and in turn, sustain the satisfaction of the sporting community. Moral policy maintenance in sport commonly takes place in areas including but not limited to doping, eligibility, recruiting, amateurism, the degree to which violent tactics are appropriate in mixed martial arts, and the emphasis on competition in youth sport; all have required and continue to require maintenance. When actions by those involved in sport are upsetting to the sporting community, sport policies are often reviewed to regain the overall satisfaction of the sporting community.

Introducing Act-Utilitarianism and Bentham's Hedonic Calculus

Act-utilitarianism (AU) based on Jeremy Bentham's hedonic calculus (HC) is an approach to morality requiring one to act in the way that is anticipated will bring about the greatest amount of good to the most people. In and of it-

self AU requires that actions are based on what the agent (the person acting or responsible for others' actions, i.e., the sport manager) believes will bring the most happiness to the most people. Regarding a controversial issue, one way to determine which actions will bring about the most happiness to the most people is through the application of HC as developed by Bentham (1789/1961) and described in chapter IV of *An Introduction to the Principles of Morals and Legislation*.

From a hedonism perspective, good is based on pleasure and pain. Actions are based on the act that will provide pleasure and/or reduce pain. Hedonic calculus is a somewhat scientific means of determining the extent of happiness and unhappiness selected actions will bring to the most people. If, as professed by Bentham (1789/1961) in chapter I of *An Introduction to the Principles of Morals and Legislation*, "Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*" (p. 17), a morality seeking approach driven by AU based on HC seems appropriate. Bentham's HC provides a method from which AU can be applied to controversial sport issues for the purpose of moral policy development in sport.

AU and Morality

Act-utilitarianism holds to the notion that it is the overall value (in terms of happiness) of the consequences of an act that determines whether the act should be performed. Morally good actions are considered those actions that bring about the greatest amount of happiness and least amount of pain to those persons affected. Actions, then, should be based on what one believes will bring the most happiness to the most people.

Jeremy Bentham and John Stuart Mill were both proponents of act-utilitarianism and considered good moral actions to be those actions that produce an overall happiness among people. Bentham (1789/1961) spoke to the necessity of understanding values of pleasures and pains when using AU to create legislation. In *Utilitarianism* Mill (1863/1969) stated that "... the influence of actions on happiness is a most material and even predominant consideration in many of the details of morals" (p. 33). Mill claimed that "The moral rightness or wrongness of an act is a function of the pleasure or pain produced by the action" (p. 36). And, as part of his Greatest Happiness Principle, Mill stated that "actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness" (p. 36).

Thus, when grounding sport policy in AU, policies and subsequent rules must be developed based on the overall happiness that is predicted to result from selected actions as they relate to issues in sport. In terms of sport, AU seeks to satisfy the *sporting community* through the achievement of the most happiness to the most members of the sporting community.

HC and Morality

Hedonic calculus is an act-utilitarian theory and was formulated by Bentham to determine the overall pleasure or pain that a particular action is expected to cause. Following a process of identifying and calculating the total pleasures and pains that possible actions can bring, the action is then selected that is predicted to bring about the most pleasure and, in turn, the most happiness for the most people. In principle, HC can determine the moral status of an act.

Using AU Based on Bentham's HC to Guide Sport Policy

This paper seeks to discover how AU based on HC, might effectively be used to develop and maintain moral policy in sport. For the purpose of describing *how* AU based on HC could be used to guide policy development in sport, a hypothetical controversial issue of determining the appropriate emphasis on competition in youth sport from a moral standpoint will be used as the controversial issue under review. The objective of this paper, however, is not to actually arrive at a policy governing the emphasis of competition in youth sport but rather to identify, through the use of AU, an approach that is effective and useful, to moral policy development in sport, from a general perspective. The appropriate emphasis of competition in youth sport will simply serve as the controversial issue to which the application of principles of AU based on HC can be demonstrated for the purpose of moral policy development.

The overall goal is to understand how sport managers might apply AU principles based on HC to develop and maintain moral policies in sport. Discussed in this paper is how sport managers would likely develop moral sport policy if adhering to an AU approach strictly based on HC. Then, a more practical approach to the use of HC will be offered for the purpose of providing sport managers with guidance that can realistically be used for moral policy development in sport from an AU standpoint.

Morality and: AU, HC, and Policy and Rules

In chapters IV and V of *An Introduction to the Principles of Morals and Legislation* Bentham describes kinds of pleasures and pains and how to measure them (Bentham, 1789/1961). Bentham's HC is systematic and inclusive of an extensive range of possibilities for pleasures and pains resulting from actions. He identified a list of, and described in detail, 14 pleasures and 12 pains. Speaking to the necessity of measuring the forces of pleasures and pains, he provided 7 circumstances under which the value of pleasure or pain should be considered when attempting to calculate the overall quantity of pleasures and pains caused by an action. Bentham also provided a procedure

to help determine how the interests of a community and persons are affected by the general tendency of any act in terms of pleasures and pains resulting from the act. In short, Bentham's HC calls for the agent to "sum up all the values of all the pleasures on the one side, and those of all the pains on the other" (p. 39). If the summation is on the side of pleasure the act will tend to be good and if on the side of pain, tend to be bad.

Moral Sport Policy and Rules Guided by AU and HC

From the perspective of moral policy development in sport, the use of the general concepts of HC can serve as a guide. When using AU based on the principles of HC to develop morally good sport policy, the goal should be to develop policy that will cause people to act in ways that will result predominately in long-term pleasure instead of pain. To that end act-utilitarianism carried out from the basis of Bentham's HC, in theory, requires a most exhaustive analysis on the part of the sport manager.

Useful for moral guidance ranging from addressing large scale controversial issues through sport policy development to specific moral dilemmas that arise on a day-to-day basis, AU also provides a foundation from which rules in sport can be developed. Bentham (1789/1961) asserted that nature influences actions because people naturally select actions that bring about pleasure while avoiding pain and that "...the standard of right and wrong... are fastened to their [pleasure and pain] throne..." (p. 17). In book III of *A Treatise of Human Nature*, David Hume (1739/1964) dismisses reasoning as a means of distinguishing good and evil and claims that moral distinctions depend entirely on certain peculiar sentiments of pain and pleasure, and that whatever mental quality in ourselves or others gives us a satisfaction is virtuous.

If, indeed, satisfaction/happiness is determined by the sentiments of people, the types of sentiments stirred by actions resulting from rules must be accurately calculated before morally good sport policy can be developed. Mill (1863/1957) indicated that the weighing of conduct on the general happiness, in fact, can be calculated because since the beginning of the human species, "mankind have been learning by experience the tendencies of human actions" (p. 30).

Thus, based on past experiences, sporting communities' sentiments expressing pains and pleasures to particular actions stipulated by policies and rules should be able to be predicted. It would seem that one's natural attraction to pleasure/happiness would render rules that generally do not produce happiness somewhat useless and rules that bring about happiness would attract a natural following that supports and protects such rules.

Examples abound in modern day sport where sporting communities reinforce Mill's (1863/1957) statement that ...pleasure and freedom from pain are

the only things desirable as ends...” (p. 10). In cases where a lack of rules is causing unhappiness, the drafting of and enforcement of legislation is necessary to foster happiness and reduce unhappiness in the sporting community. Legislating against steroid use in Major League Baseball (MLB) serves as one example. Although some evidence indicates that fans were indifferent to steroid use in MLB, anti steroid use gained momentum in the sporting community when it became apparent that usage had filtered down to inter-scholastic players who experienced negative side effects. High school baseball player, Taylor Hooton, committed suicide in 2003 at age 17 after abusing anabolic steroids. In 2005 testifying in front of the United States Congress, Taylor’s father, Don Hooton told Congress that the usage of steroids by professional athletes was a major catalyst in fueling the high steroid usage among kids (Mitchell, 2007). When anti-steroid sentiments increased among not only the sporting community but also mainstream America, the U.S. Congress went to work drafting stronger penalties against steroid users.

In 2003 the National Collegiate Athletic Association (NCAA) modified a preseason fall football practice policy to disallow two-a-day practices during the first week of practice. An overall concern for the welfare of athletes created an environment of disapproval for two-a-day practices. Sentiment among the sporting community was that two-a-day practices should be disallowed because of the unreasonable risk of injury to players and the overall pain that would subsequently be felt by the sporting community (Corlette & Oppliger, 2007).

Policy as a Guide to Good Actions

Policy provides guidance on how and how not to act. If the extent and degree of happiness brought on by actions can be accurately determined, policy can be formed by including language that encourages actions predicted to bring about happiness and that discourages actions predicted to bring about unhappiness. Keeping in mind the overall goal is to develop policy that brings about the greatest happiness to the sporting community, various types of actions must first be identified to which AU based on HC can be applied, for the purpose of determining the extent to which happiness comes from particular sport related actions. Next, policy should be developed based on those actions considered to bring about the most happiness to the sporting community. If various types of actions are identified and AU based on HC is applied to each of them for the purpose of identifying the ones that collectively are most likely to bring about the most short and long-term happiness, policies can then be developed that attempt to elicit those actions, which when exercised, if predicted accurately, will bring about the most good to the sporting community.

Issues of Controversy in Sport and a Structure of AU Based on HC

Regarding issues of controversy in sport, when moral policy is developed from AU based on HC it seeks to generate happiness and stymie unhappiness by creating legislation that encourages actions predicted to bring about pleasure and discouraging actions predicted to bring about pain. To illustrate a process of applying AU based on HC, an analysis of the appropriate degree of competition in youth sport will serve as a hypothetical controversial issue from which to better understand the pros and cons of policy development using HC as a foundation for AU. What follows is the presentation and discussion of a structure that demonstrates the complexities (and impracticalities) of applying AU based on HC for the purpose of policy development in sport.

Complexities Associated with a Strict Adherence to HC

When attempting to identify the appropriate degree of competition in youth sport, a process that includes the identification of various types of actions could include the development of three different *competition models* of youth sport – each with a varying degree of competitive emphasis: (a) light emphasis, (b) moderate emphasis, and (c) heavy emphasis. Next, to gain a more thorough understanding of the controversial issue, breaking it down into more basic elements is necessary. To that end the identification of the following *seven competition elements* common to youth sport provides a more complete understanding of the issue: (a) preparation, (b) rewards for winning, (c) travel, (d) participation in additional sports, (e) playing time criteria, (f) assumption of physical injury risk to players, and (g) assumption of emotional injury risk to players. Each competition element would contain different characteristics depending on their respective competitive model (light, moderate, or heavy) under which they would be placed in youth sport. In an attempt to ensure for an accurate understanding of the issue for which policy is being developed, the seven competition elements and their respective characteristics could be identified based on youth sport literature, personal observations, and personal communications with those directly involved in youth sport. Next, *Bentham's 14 pleasures*, *12 pains*, and *7 circumstances* could be applied to the basic elements of the issue to predict overall happiness and pain brought on by the various actions. *Bentham's 14 pleasures* included sense, wealth, skill, amity, a good name, powers, piety, benevolence, malevolence, memory, imagination, expectation, dependent on association, and relief. *Bentham's 12 pains* included privation, the senses, awkwardness, enmity, an ill name, piety, benevolence, malevolence, memory, the imagination, expectation, and dependent on association. *Bentham's seven circumstances* are as follows: intensity, duration, certainty or uncertainty, propinquity or remoteness, fecundity, purity, and extent.

The objective behind the creation of competition elements in each of the models would be to gain a full understanding of the different actions that could be associated with each of the models. If the models truly provide actions reflective of the degree to which they claim to emphasize competition, the extent to which happiness or unhappiness may result from each of the three competition models should be able to be predicted.

Using the competition element of *travel* as an example, under a competition model of light emphasis, *travel* might include “no travel” because given the light nature of competition, travel would be limited in that games might only take place at one location and thus teams would not travel. Under a competition model of moderate emphasis the characteristics of the area of *travel* might include “occasional travel,” i.e., travel for tournament play but not regular season play. And, under a competition model of heavy emphasis, the characteristics of the area of travel might include “frequent travel,” i.e., *travel* throughout the regular and post season.

Following the creation of the models, predictions could be made after considering each of Bentham’s 14 pleasures and 12 pains, and 7 circumstances in every combination for each model. Next, a value from 0 to 3 (0 = Non-Existent; 1 = Low; 2 = Average; 3 = High) could be given to each of Bentham’s 14 pleasures and 0 to –3 (0 = Non-Existent; –1 = Low; –2 = Average; –3 = High) to each of Bentham’s 12 pains based on the extent to which Bentham’s selected circumstance is believed to exist under each condition. A condition could be determined by the following factors: (a) the person(s) whose interest is affected, (b) the competition element common to youth sport, and (c) the competition model itself. The person(s) making up the sporting community and whose interests are affected might be: participants, parents, coaches, and fans.

In all – given the 4 categories of persons whose interests are affected, 7 competition elements common to youth sport, 3 competition models, 7 of Bentham’s circumstances, 14 pleasures and 12 pains identified by Bentham – a maximum of 98,784 values could be recorded relative to Bentham’s pleasures and pains, in an attempt to create a competition model that would bring about the most pleasure to the most people affiliated with youth sport. All positive and negative values of each competition element, when considered with the other aforementioned factors, would be summed to determine which competition elements consist of the highest positive value, which, when packaged into one new competition model, would be considered most likely to bring about the most happiness to the most amount of people affiliated with youth sport.

A model or parts of each of the models predicted to bring about the most happiness (based on Bentham’s pleasures, pains, and circumstances) to the sporting community could be used to form policy and rules. The pleasure and/or pain could be predicted for actions expected to bring about the characteristics making up each of the three models. The model that is predicted

to bring about the greatest happiness would be considered the morally good model. Policies could be legislated to encourage actions bringing about the characteristics reflective of the morally good model or morally good components of each of the three models.

Impracticality of the Structure

It quickly becomes apparent that any structure attempting to develop policy on the basis of AU requiring *strict* adherence to Bentham's HC would become inundated with details. Realistically applying such a structure to controversial issues in the real world of sport would be impractical to say the least.

To truly carry out AU based on Bentham's HC, all members of the sporting community who would be affected by the issue would have to first be identified. Then a value for each member would have to be calculated for all combinations of the 7 competition elements common to youth sport, 3 competition models, 7 of Bentham's circumstances, 14 pleasures and 12 pains. However, the foundation on which the approximate 98,784 possible values would be developed would be too inaccurate to elicit accurate results pertaining to the selection of a competition model for appropriate emphasis on competition in youth sport that produces the greatest happiness for the most people.

Application of the overall structure and the identification of affected individuals in the sporting community would be based on presumptions, which if not accurate would result in inaccurate predictions of happiness and unhappiness. At best, attempts can be made to help control for such inaccuracies. A formal process that includes the review of pertinent literature and consultation of experts in the area of competition and youth sport would help to accurately predict happiness. The collective efforts of youth sport experts directly "in the know" would likely eliminate some of the inaccuracies resulting from a solitary person attempting to create a structure. Seemingly, those affiliated with and knowledgeable of youth sport would have the best understanding of what makes them happy relative to the issue of determining appropriate levels of competition in youth sport.

Levels of subjectivity would also exist in the interpretation of Bentham's 7 circumstances as they are applied to his 14 pleasures and 12 pains, which are also somewhat subject to interpretation even though they were defined by Bentham. Given the involvement of an agent (sport manager), in the process of applying AU based on HC (the structure), an element of subjectivity will always be present and should actually be welcome if the agent/sport manager is qualified to make such interpretations. Considerations, however, should be given to controlling the subjectivity of interpretations of Bentham's pleasures, pains, and circumstances by basing interpretations on what is generally agreed on by most people.

It must be noted, however, that the use of AU, regardless of whether or not it strictly adheres to HC, in fact, does include a certain degree of presumptive based thought and subjective analysis. But, in this case it is not presumptions or subjectivity that renders AU ineffective as a structure to develop morally good policies for real world controversial sport issues, but rather, the inundation of details generated from a strict adherence to HC. The superfluous details create an overly complex structure that blurs the original objective of determining actions that bring the most happiness to the sporting community relative to the controversial issue.

As a structure, the ineffectiveness of AU resulting from a strict adherence to HC should not come as a complete surprise as both Jeremy Bentham and John Stuart Mill believed that "...only reasonable predictability and choice, not perfect predictability or precise calculations..." (Beauchamp, 1982, p. 83) can be made when using act-utilitarianism. Bentham made known his awareness of the potential for impracticality and clumsiness when applying HC by pointing out that "it is not expected that this process should be strictly pursued previous to every legislative operation, but should always be kept in view" (Bentham, 1789/1961, p. 39).

From the perspective of Bentham's and Mill's utilitarian beliefs, Beauchamp (1982) declared that predictions related to daily practical affairs rely heavily on common sense, habits, and past experience. Even in the case of policy development where time is often available to calculate values of acts and predict the extent of pleasures and pains resulting from actions, the accuracy of the predictions still seem, at best, heavily reliant on common sense, habits, and past experience.

Evolvement to a Holistic Approach

Despite the impracticality of developing morally good sport policy from AC based strictly on HC, gaining a full understanding of it as a structure can serve an essential purpose to the development of morally good sport policy. Engaging in the complex process of understanding how the pleasures, pains, and circumstances can be applied to a controversial sport issue can be invaluable as it forces the sport manager to flesh out the moral details of the issue. Gaining a detailed understanding of the controversial issue will help the sport manager predict how particular actions will affect the sporting community. Given that AU based on a strict adherence to HC is morally sound, becoming formally educated to its process and practicing it would be helpful in acquiring the depth of knowledge necessary to expeditiously arrive at good moral policies in sport.

A holistic approach is a feasible practical alternative to the overly complex approach of AU based on a strict adherence to HC. The realistic application of a holistic approach would be strongly supported by learning and practicing the step-by-step process of AU when strictly basing it on HC.

Understanding the *parts* and *process* of AU strictly based on HC can provide the sport manager with the necessary knowledge to take on the more efficient holistic approach to moral policy development in sport that will result in the most good for the most people. The *parts* include understanding Bentham's 14 pleasures and 12 pains, his 7 circumstances, the competition elements common to youth sport and their unique characteristics, and those whose interests are affected. The *process* includes being able to assign values of pleasures and pains based on Bentham's circumstances and the various conditions related to the goal of identifying the appropriate emphasis on competition in youth sport. If sport managers can grasp an understanding of the parts and the process of AU based strictly on Bentham's HC, it is realistic that they should be able to develop good moral policies from a holistic perspective.

As an educational tool, the complex application of the structure provides significant benefits to the sport manager who seeks to develop morally good policy. Despite the practical ineffectiveness of the complex process of applying the structure, without a full understanding of its parts and process, a holistic approach, likely, will be ineffective as well.

Importance of the Agent's/Sport Manager's Background

Of particular importance when using a holistic approach to creating policy intended to result in the greatest happiness for the most people, are the qualifications of the agent/sport manager. Without a full understanding of the structure as discussed above, the sport manager is not qualified to create moral policy or lead moral policy discussions. A full understanding of Bentham's HC is necessary for the sport manager to effectively utilize a holistic approach to moral policy development and maintenance from the perspective of AU based on HC.

In addition to gaining a thorough understanding of the parts and process of AU based on HC, more is required to accurately predict the amount of happiness that will come from the development and selection of a particular policy. Bentham's (1789/1961) belief to always keep in view the more complex approach to his HC and Beauchamp's (1982) depiction of Bentham and Mill's utilitarian notion to place a heavy emphasis on common sense, habits, and past experience must be part of the sport manager's skill set required for policy development and maintenance that will make the most people happy. In addition, as indicated by Mill (1863/1957), a good conscience (the conscientious feelings of mankind) is required for the effective application of AU. If the sport manager does not have a good conscience, utilitarianism will be ineffective in the same way Mill (1863/1957) points out that other moral theories will fail if the agents do not have a good conscience.

Final Insights

Sport managers are prepared to lead the development of sport policy from a moral perspective that will bring about the most good for the most people only when their skill set includes: (a) an understanding of the complex and precise process of applying AU based strictly on HC, (b) experience, common sense, and good habits, and (c) a good conscience. Care should be taken in hiring only sport managers who have the aforementioned moral skill set. Finally, this moral skill set should be incorporated into training programs for managers currently employed in sport organizations and also taught to students in sport management preparation programs.

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